

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

CHANDAN MANANSINGH, an
individual, and ANGELA NAIRNS, an
individual,

Plaintiffs,

vs.

UNITED STATES OF AMERICA, et al.,

Defendants.

No. 2:20-cv-01139-DWM

ORDER

Plaintiffs Chandan Manansingh and Angela Nairns (collectively “Plaintiffs”) allege constitutional claims under *Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics*, 403 U.S. 388 (1971), and tort claims under the Federal Tort Claims Act (“FTCA”), arising out of a probationary search and federal indictment. [ECF Nos. 49.] The Court previously dismissed all but one count of Plaintiffs’ sixteen-count Amended Complaint with prejudice. [See ECF. No. 73, 85, 89.] Judgment was entered on the dismissed counts, [ECF No. 90], and Plaintiffs appealed, [ECF No. 91]. Plaintiffs’ *pro hac vice* counsel, David A. Frankel, now seeks to withdraw from the case. [ECF No. 93.]

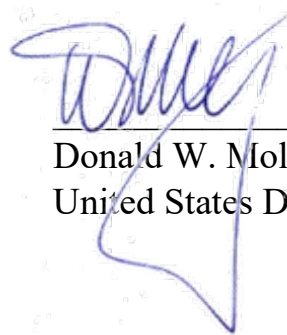
Pursuant to the Local Rules for the District of Nevada, an attorney can seek to withdraw by motion but must serve that motion on both the opposing party and

the “affected client.” LR IA 11-6(b). Counsel’s motion indicates only that it was served on the defendants, not his own clients. Even though counsel states that he is acting “at the Plaintiffs’ request,” such service is required by the Rules.

Accordingly,

IT IS ORDERED that counsel must serve his motion [ECF No. 93] on his clients and they will be given 14 days to respond as outlined by the Local Rules. Note further that counsel’s motion applies only to the stayed proceedings in this Court; once a Notice of Appeal is filed a separate motion must be filed with the Court of Appeals if counsel has appeared there.

DATED this 20th day of July, 2021.



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Donald W. Molloy, District Judge
United States District Court